IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.667 OF 2004
IN
SUMMONS FOR JUDGMENT NO.252 OF 2003
IN
SUMMARY SUIT NO.224 OF 2003

M/s.Ramniklal S. Gosalia .. Appellant.
V/s.
M/s.J.R. Enterprises .. Respondent.

Mr.R.M. Pande for the appellant.

CORAM : R.M. LODHA, &
J.P. DEVADHAR, JJ.

DATED : 20TH OCTOBER, 2004.

P.C. :

Heard Mr.R.M. Pande, the learned counsel for the appellant.

2. In the light of the agreement (Exhibit - '1' annexed to the reply affidavit) between the parties, the learned trial Judge cannot be said to have erred in holding that there was triable issue involved in the suit for grant of unconditional leave.

3. No case for interference is made out. The appeal is dismissed in limine.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)